

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b> DEAN A. KLEIN et al.	<b>Examiner:</b> _____
<b>Serial No.:</b> To Be Assigned	<b>Group Art Unit:</b> _____
<b>Filed:</b> Herewith	
<b>For:</b> BIOCOMPATIBLE INJECTABLE MATERIALS	<b>Docket No.</b> 54459-280805

**COMBINED DECLARATION AND  
POWER OF ATTORNEY IN ORIGINAL APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled BIOCOMPATIBLE INJECTABLE MATERIALS, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I hereby acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or under § 365(a) of any PCT international application which designated at least one country other than the United States of America listed below, and have also identified below any foreign application for patent, inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Prior Foreign Application No.	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed
NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35 United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37 Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
10/446,647	May 28, 2003	Pending
10/280,163	October 25, 2002	Pending
10/212,837	August 6, 2002	Pending

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional patent application listed below.

Provisional Application Serial No.	Filing Date

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Felicia J. Boyd, Reg. No. 32,683; Theodore M. Budd, Reg. No. 51,509; Paul W. Busse, Reg. No. 32,403; Lynn C. Cameron, Reg. No. 44,581; Don D. Cha, Reg. No. 40,945; John L. Crimmins, Reg. No. 51,589; Michael A. De Sanctis, Reg. No. 39,957; John M. Haurykiewicz, Reg. No. 29,311; Charles S. Ho, Reg. No. 51,807; Peter J. Kinsella, Reg. No. 39,729; Jason R. Kraus, Reg. No. 42,765; Robert B. Leonard, Reg. No. 33,946; Walter C. Linder, Reg. No. 31,707; Sean B. Mahoney, Reg. No. 51,984; Gretchen Pesek, Reg. No. 54,372; Karl G. Schwappach, Reg. No. 35,786; James R. Young, Reg. No. 27,847; William K. Weimer, Reg. No. 38,655; Gary S. Weinstein, Reg. No. 42,217; and Tong Wu, Reg. No. 43,361.

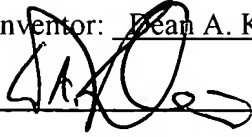
Address all correspondence to John L. Crimmins, FAEGRE & BENSON LLP, 2200 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402-3901, telephone 612/766-7749.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first joint inventor: Dean A. Klein

Inventor's signature: \_\_\_\_\_



Nov. 18, 2003  
Date

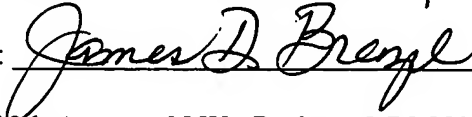
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18 Nov 03  
Date

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